REMARKS

Claims 29-36 are added by this paper. Claims 1-28 are unchanged. Claims 1-36 are pending in the application. Reconsideration and allowance of the claims in light of the present remarks is respectfully requested.

To Anticipate a Claim, the Reference Must Teach Every Element of the Claim

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim, but this is not an ipsissimis verbis test, i.e., identity of terminology is not required. In re Bond, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Discussion of the Rejections Under 35 U.S.C. § 102(b)

Claims 1, 15, 19, 21 and 24-27 were rejected under 35 U.S.C. § 102(b) as being anticipated by Huttenlocher (U.S. Patent No. 6,249,604).

The Huttenlocher reference describes a method for determining boundaries of words in text. In contrast, Applicant's claims are directed to enhanced optical recognition by improving the quality of the characters in words, and in certain embodiments, strokes that make up the characters. A character stroke is a portion of a single character.

The Office Action dated May 18, 2005 states that element b) of Claim 1 which recites "locating one or more bytes having no non-white pixels in the received bitmap, wherein the locating identifies gaps in character strokes" is shown by Huttenlocher at column 15, lines 45-67. However the cited text does not describe that the locating identifies gaps in character strokes (as claimed by Applicant), but rather, discusses white lines to separate adjacent lines (rows) of text – see area 258 in Figure 10 of Huttenlocher where an interline merging of two words is illustrated.

The Huttenlocher method increases the spacing between the lines (rows) of text as seen at area 258' in Figure 11 as compared to area 258 in Figure 10, but does not identify gaps in character strokes.

The Office Action further stated that element c) of Claim 1 which recites "inserting bytes having non-white pixels into a series of bytes having no non-white pixels" is shown by Huttenlocher at column 15, lines 29-35 and column 16, lines 53-65. However, the cited text describes filling the **spaces between characters** (intercharacter gap, Huttenlocher at column 15, line 8) with black pixels such as seen in Figure 10. A subsequent operation replaces some of the black pixels with white pixels and draws box boundaries around each word as seen in Figure 14. In contrast, from the discussion of Claim 1 element b) above, the locating of the one or more bytes identifies gaps in character strokes, and element c) inserts bytes having non-white pixels into a series of the located bytes that identify these gaps.

The Office Action states that the enhancement module element of Claim 15,

> an enhancement module configured to enhance the bitmap obtained from the receive module, wherein the enhancement module performs a contiguity analysis and selective insertion of pixels based on the contiguity analysis, wherein the contiguity analysis identifies gaps in character strokes,

is shown by Huttenlocher at column 15, lines 29-35 and column 16, lines 53-65. However, the cited text does not describe that the contiguity analysis identifies gaps in character strokes, as claimed by Applicant, but rather, discusses spacing **between characters** and bounding boxes for words. The selective insertion of pixels is based on the contiguity analysis in Applicant's claim, where the contiguity analysis identifies gaps in character strokes.

The arguments for Claims 1 and 15 apply also for independent Claims 19 and 25-27.

Dependent Claims

Claims 16-18, 20 and 28 were rejected under 35 U.S.C. § 103(a) as being obvious over the combination of Huttenlocher (U.S. Patent No. 6,249,604) and Lopresti (U.S. Patent No. 5,748,807) as applied to Claim 15.

Claims 2-4, 16-18, 21-24 and 28 are dependent either directly or indirectly on one of the above-discussed independent claims. Applicant respectfully submits that pursuant to 35 U.S.C. § 112, ¶4, the dependent claims incorporate by reference all the limitations of the claim to which they refer and include their own patentable features, and are therefore in condition for allowance. Therefore, Applicant respectfully requests the withdrawal of all claim rejections and prompt allowance of the claims.

Allowable Subject Matter

The Office Action dated May 18, 2005 states that Claims 5-14 are allowed. Claims 2-4, 22 and 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has rewritten Claim 4 as new independent Claim 35, and has rewritten Claim 22 as new independent Claim 36.

New Claims

Applicant has added new Claims 29-36. The new dependent Claims 29-34 are supported at least pages 2, 12-14, 16 and 18 of the specification. The new independent Claims 35 and 36 were discussed in the previous paragraph.

CONCLUSION

Because of the reasons presented above, the Huttenlocher reference does not teach or suggest each and every element of Applicant's independent claims. Since it is respectfully submitted that the rejections have been overcome, Applicant respectfully requests allowance of all claims.

In light of the above amendments and remarks, reconsideration and withdrawal of the outstanding rejections are specifically requested. Applicant respectfully submits that the claims of the above-identified application are in condition for allowance. However, if the Examiner finds any impediment to allowing all claims that can be resolved by telephone, the Examiner is respectfully requested to call the undersigned.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: _9-19-2005_   By: _____

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